

REMARKS

This application has been carefully reviewed in light of the Office Action mailed June 6, 2005. Claims 1-25 are pending in the application. Claims 1-25 are rejected in the application. Applicant respectfully requests reconsideration and favorable action of all pending claims in view of the following remarks.

Rejections Under 35 U.S.C. § 102 and 103

Claims 1-3, 5-10, 12, 14-17, and 19-25 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,625,777 to Levin et al ("*Levin*"), and Claims 4, 11, 13, and 18 under 35 U.S.C. § 103(a) as being unpatentable over *Levin* in view U.S. Patent 6,570,915 to Sweitzer et al ("*Sweitzer*"). Applicant respectfully traverses these rejections for the reasons discussed below.

The Office Action relies principally on the structure and function of ADSL transceivers 34 and 42 of *Levin* in making these rejections, but these transceivers are not a portion of an IDSL line interface nor do they act to adjust the bit rate of an IDSL line interface. The illustration of boxes 46 and 38 as ISDN terminals does not change the fact that the functions and structure relied on in the Office Action refer to ADSL transceivers and not IDSL line interfaces. At Paragraph 5, the Office Action concedes that the transceivers referenced to above are ADSL and not IDSL, but states that col. 15 lines 5-15 disclose that they can be used as IDSL line interfaces. Applicants respectfully traverse that that portion of *Levin* teaches and enables an IDSL line interface that meets the claim limitations. Nevertheless, in order to expedite prosecution, Applicants have amended the independent claims, without prejudice or disclaimer.

Claim 7, as amended, recites "adjusting the second bit rate while maintaining the first bit rate constant until a CRC level associated with subsequent data transfer between the first and second IDSL line interfaces meets or falls below the predetermined acceptable level," which is not shown by *Levin*. Rather, *Levin* involves selection of a rate, transmission of that rate to the other paired transceiver, and use of that rate by both transceivers. *See Levin* at col. 5, lines 35-41. In contrast, the invention of Claim 7 holds constant the bit rate of the first IDSL line interface. As described in Applicants disclosure:

Establishing a connection between two IDSL line interfaces is problematic. Both because the bandwidth of the particular ISDN line utilized may vary and because a bit rate of either line interface at the customer premises or the

remote location may differ. Conventionally, in order to set up an IDSL router at a customer's premises, a technician or user had to call the central office and determine the bit rate applicable to the corresponding IDSL line interface at the central office. Such a procedure is time consuming and cumbersome.

According to one embodiment, adjusting a bit rate of an IDSL line interface on one side of the connection while maintaining the bit rate of an IDSL line interface on the other side of the connection until a CRC level associated with subsequent data transfer falls below or meets an acceptable level allows for easier installation of IDSL equipment. *Levin* is not concerned with holding constant the bit rate associated with one side of the connection, but rather adjusting the bit rate on both sides of the connection.

For at least this reason, Claim 7, as amended, is allowable as are the claims depending therefrom. Independent Claims 1, 14, 21, 22, and 23 are allowable for analogous reasons, as are any claims depending therefrom. Reconsideration and favorable action are requested.

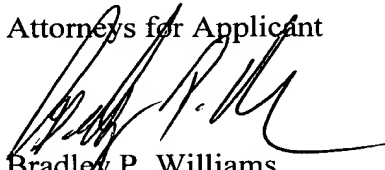
Conclusion

Applicant has made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicant respectfully requests full allowance of all pending claims.

If the Examiner believes that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact the undersigned Attorney for Applicant at the Examiner's convenience.

Applicant believes that no fee is due. However, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.
Attorneys for Applicant



Bradley P. Williams
Reg. No. 40, 227

Date: _____

8/8/05

Correspondence Address:

Customer Number: **05073**